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10/01/2003 02:20 PM 48.00  
Book - 8890 Pg - 8068-8073  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
FIRST AMERICAN TITLE  
BY: SBM, DEPUTY - WI 6 P.

WHEN RECORDED PLEASE  
RETURN TO:  
Geonerco Management, Inc.  
Attn: Jennifer Valenta  
1300 Dexter Ave. N. #500  
Seattle, WA 98109

!!) ENT 158595:2003 PG 1 of 3  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2003 Sep 30 2:12 pm FEE 38.00 BY SFS  
RECORDED FOR FIRST AMERICAN TITLE CO

**SECOND SUPPLEMENTAL DECLARATION AND AMENDMENT  
TO ADD ADDITIONAL LAND**

**TO THE DECLARATION OF COVENANTS, CONDITIONS  
AND  
RESTRICTIONS**

**FOR THE COVE AT OAK VISTA AT SUNCREST**

47819 MW

THIS SUPPLEMENTAL DECLARATION AND AMENDMENT TO ADD ADDITIONAL LAND TO THE DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS FOR THE COVE AT OAK VISTA AT SUNCREST (this "Supplemental Declaration") dated as of this 30th day of September 2003, by Alpine Homes, Inc. (the "Declarant"), amends that certain Declaration of Covenants, Conditions and Restrictions for The Cove at Oak Vista at Suncrest, dated March 25, 2003, and recorded March 27, 2003, in the real property records of the Recorder in and for Utah County, at Entry No. 46494:2003, and recorded March 31, 2003, in the real property records of the Recorder in and for Salt Lake County, at Entry No.8589942 Book 8767 Page 1250, as amended from time to time (the "Original Declaration"). The Original Declaration was supplemented by the Supplemental Declaration and Amendment to Add Additional Land, dated June 30, 2003, and recorded July 7, 2003 in the real property records of the Recorder in and for Utah County, at Entry No. 101621:2003, and recorded July 10, 2003, in the real property records of the Recorder in and for Salt Lake County, at Entry No. 87257885 Book 8838 Page 669 ("First Supplemental Declaration"). The Original Declaration and First Supplemental Declaration as amended and supplemented pursuant to this Second Supplemental Declaration, and as amended and supplemented pursuant to certain other Supplemental Declarations that Declarant has or may in the future record against various Lots within Oak Vista at Suncrest, is collectively referred to as the "Declaration" which term, shall for all purposes thereof or of any related document, mean and refer to the Declaration as so amended, supplemented, or otherwise modified. All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Declaration.

**WITNESSETH:**

WHEREAS, the Declarant subjected certain real property located in Salt Lake County, Utah and Utah County, Utah to the Declaration; and

WHEREAS, the Declaration established an association known as The Cove at Oak Vista at Suncrest Owners Association, a Utah non-profit corporation (the "Association"), which is responsible for governing the Cove at Oak Vista on matters of common concern as more particularly described in the Declaration; and

WHEREAS, Article XIV of the Declaration provides that Declarant shall have the absolute right and option, from time to time at any time to subject the Additional Land or portions thereof to the provisions of the Declaration and the jurisdiction of the Association, by the recordation of a Supplemental Declaration annexing such Additional Land which shall be effective upon filing for recordation, unless otherwise provided therein; and

WHEREAS, Declarant desires to subject that certain portion of the Additional Land, situate in Salt Lake County, Utah, consisting of Lots 458, 459, 460, 461 and 462 and that portion of Lots 463 and 488, in Oak Vista No. 6, at SUNCREST AMENDED as shown on the Official Plat recorded January 24, 2003 as Entry No. 8485081 in Plat Book 2003P, Page 0007 of the Official Records of Salt Lake County, Utah and that certain portion of Additional Land situate in Utah County, Utah, consisting of that portion of Lots 463 and 488, in Oak Vista No. 6, at SUNCREST AMENDED as shown on the Official Plat recorded January 24, 2003 as Entry No. 11782:2003 in Plat Book 48, Page 303 of the Official Records of Utah County, Utah, (hereinafter referred to as the "Annexation Property") to the provisions of the Declaration and the jurisdiction of the Association; and

WHEREAS, Declarant owns all of the Annexation Property; and

WHEREAS, Pursuant to Section 14.1, Declarant hereby exercises its unilateral right to execute and record this Supplemental Declaration for the purpose of subjecting the Annexation Property to the provisions of the Declaration and to the jurisdiction of the Association and for such other purposes set forth and described in this Supplemental Declaration.

NOW, THEREFORE, in consideration of the foregoing premises, the Declarant unilaterally exercises its right to subject the Annexation Property to the provisions of the Declaration and hereby declares and states as follows:

1. The Annexation Property is hereby subjected to the Declaration, pursuant to the provisions of Article 14 of the Declaration and shall be held, transferred, sold conveyed and occupied subject to the covenants, restrictions, easements, charges and liens of the Declaration which provisions are hereby ratified, approved and confirmed, with the same force and effect as if fully set forth herein and made again as of the date hereof and subject to the jurisdiction of the Association.

2. The provisions of the Declaration shall run with the Annexation Property and shall be binding upon all parties having any right, title, or interest in the Annexation

Property or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each owners thereof.

3. This Supplemental Declaration shall be effective as of the date of its recordation in the real property records of the Recorder in and for Salt Lake County, Utah and or its recordation in the real property records of the Recorder in and for Utah County, Utah.

IN WITNESS WHEREOF, the Declarant has executed and delivered this Supplemental Declaration as of the date and year first above written.

DECLARANT:

ALPINE HOMES, INC.  
a Utah corporation

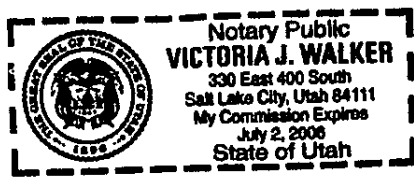
By: Scott Hawker  
Scott Hawker  
Regional Vice President/General Manager

State of Utah            )  
                                  )        ss.  
County of Salt Lake    )

I certify that I know or have satisfactory evidence that Scott Hawker is the person who appeared before me, and said person acknowledged that he signed this Neighborhood Declaration, on oath stated that he was authorized to execute the Neighborhood Declaration and acknowledged it as the Regional Vice President/General Manager of Alpine Homes, Inc., a Utah corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

(Seal Or Stamp)

Dated: Sept 24, 2003  
Victoria J. Walker  
Notary Public in, and for the State of Utah  
Residing at: SLL, UT  
Printed Name: Victoria J. Walker  
My Appointment Expires 7/2/06



## **EXHIBIT "A"**

### **SALT LAKE COUNTY**

Lot(s) 458 through 462, and that portion of Lot(s) 463 and 488 in Oak Vista No. 6, at SUNCREST AMENDED as shown on the Official Plat recorded January 24, 2003 as Entry No. 8485081 in Plat Book 2003P, Page 0007 of the Official Records of Salt Lake County, Utah.

### **UTAH COUNTY**

That portion of Lot(s) 463, and 488, in Oak Vista No. 6, at SUNCREST AMENDED as shown on the Official Plat recorded January 24, 2003 as Entry No. 11782:2003 in Plat Book 48, Page 303 of the Official Records of Utah County, Utah.

#### Tax ID Nos. Salt Lake County

Lot 458:	34-10-351-009-0000
Lot 459	34-10-351-008-0000
Lot 460	34-10-351-003-0000
Lot 461	34-10-351-004-0000
Lot 462	34-10-351-004-0000
Lot 463	34-10-351-006-0000
Lot 488	34-10-351-002-0000

#### Tax ID Nos. Utah County

Lot 463:	48-287-0463
Lot 488:	48-287-0488

Exhibit "B"

Water rights, claims or title to water .

General property taxes for the year 2003 and thereafter in Salt Lake County and Utah County.

Any charge upon the land by reason of its inclusion in Draper City and South Valley Sewer District.

The land is included within the boundaries of Traverse Ridge Special Improvement District, and is subject to charges and assessments made thereby.

(Affects this and other property)

Master Development Agreement for the Suncrest Master Planned Community, a Planned Unit Development, by and between Draper City and DAE/Westbrook, L.L.C., recorded October 12, 1999, as Entry No. 109671, in Book 5240, at page 834, of Utah County Official Records and recorded September 20, 1999 as Entry No. 7469859 in Book 8310 at page 2265 of Salt Lake County Official Records.

Amendment No. 1 to Master Development Agreement for the Suncrest Master Planned Community, a Planned Unit Development, recorded December 20, 2000, as Entry No. 7784122, in Book 8409, at Page 3722 of Official Records of Salt Lake County.

Easements for Pubic Utility, Lots Drainage Easement, Private Drainage Swale Easement and Homeowner Limits of Disturbance Easements and incidental purposes, as shown on the recorded plat.

Any covenants, conditions, restrictions, easements, assessments, liens, charges, terms and provisions contained within those certain declarations recorded December 28, 1999 as Entry No. 7543075 in Book 8332 at Page 4708 of Official Records of Salt Lake County and recorded December 22, 2000, as Entry No. 101565:2000 of Official Records of Utah County, and any amendments thereto, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenant, condition or restriction violates 42 USC 3604(c).

First Amendment to Declaration of Covenants, Conditions, Easement and Restrictions for Suncrest, a Planned Community, recorded October 11, 2002 as Entry No. 8383413 in Book 8664 at Page 2560 of Salt Lake County Official Records.

Supplemental Declaration and Amendment to Add Additional Land to the Declarations recorded November 5, 2002 as Entry No. 8411567 in Book 8679 at Page 6739 of Official Records of Salt Lake County and recorded December 4, 2002, as Entry No. 131461:2002 of Official Records of Utah County.

Tax ID No. 34 10 351 009

34 10 351 008

34 10 351 003

34 10 351 004

34 10 351 005

34 10 351 024

34 10 351 006

48 287 0463

34 10 351 002

48 287 0488